

Application No. 09/973,290

REMARKS/ARGUMENTS

This paper is in response to the Office Action dated December 5, 2003.

In the aforementioned Office Action, the Examiner has rejected claims 14-21 under the judicially created doctrine of obviousness-type double patenting, more particularly over claims 30-50 of Holl et al., US Patent No. 6,159,264 and to claims 30-50 of Holl et al., US Patent No. 6,391,082.

Enclosed please find a Terminal Disclaimer, referencing Holl et al., US Patent No. 6,391,082. Holl et al., US Patent No. 6,159,264, the first document cited in the Office Action, is a withdrawn patent. If there is need for filing of a supplemental Terminal Disclaimer in relation to the withdrawn patent, Applicants respectfully request that the Examiner contact Applicants' undersigned representative via telephone or post so that appropriate action may be undertaken.

The filing of the Terminal Disclaimer obviates the Examiner's rejection and it is respectfully requested that the Examiner withdraw the pending judicially created doctrine of obviousness-type double patenting rejections and allow Claims 14-21.

Applicant has complied with all requirements made in the above referenced communication.. Should matters remain which the Examiner believes could be resolved in a telephone interview, the Examiner is again requested to telephone the Applicants' undersigned agent.

The Commissioner is authorized to charge the Terminal Disclaimer fee under 37 CFR 1.20(d) and any additional fees which may be required for this or any other submission in this case, or credit any overpayment to Deposit Account No. 50-2638.

Respectfully submitted,

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